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ANDERSON CONCRETE CORPORATION

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PUCO

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July 28, 2009

To whom it may concern:

It has been brought to my attention that the PUCO is considering the elimination of the "construction exception" to the hours of service rules.

The concrete mixers at Anderson Concrete only average 75 miles per day. Our business consists of a few, relatively short, deliveries spread throughout the day. We approximate that we are only driving 25% of the day. The "construction exception" allows us to extend our daily and weekly hours without overworking our drivers. We consistently make use of the exception 5%-10% week in and week out. Even in tough economic times, when we have reduced drivers and trucks, we continue to make efficient, safe use of the "construction exception".

Additionally, the ready-mix concrete industry is affected by weather. Our deliveries are cancelled due to rain and are greatly reduced during the winter. It is critical that we remain as efficient as possible. Elimination of the exception would require us to add to our payroll as well as our fleet in order to service our customers. Payroll costs of a new employee exceed \$60,000 a new mixer truck is \$175,000. It is unclear how much overhead we would need to add, but it would most certainly reduce our efficiencies.

Thank You.

Michael D. Anderson

Vice-President, Anderson Concrete

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